

These minutes are subject to formal approval by the Wyoming Zoning Board of Appeals at their regular meeting on March 7, 2016.

MINUTES OF THE WYOMING BOARD OF ZONING APPEALS
HELD AT WYOMING CITY HALL

February 1, 2016

The meeting was called to order at 1:30 P.M. by Chairman VanderSluis.

Members present:	Beduhn	Buist	Lomonaco	Meeter
	Palmer	Postema	VanderSluis	

Other official present: Tim Cochran, City Planner

A motion was made by Postema, and seconded by Palmer to approve the minutes of the December 21, 2016 Board of Zoning Appeals meeting.

Motion carried: 7 Yeas 0 Nays

PUBLIC HEARING:

Appeal #V160001	P.P. #41-17-14-482-008
Baker 91936 LLC	
919 36th St. S.W.	
Zoned B-1	

The application requesting a variance from the City of Wyoming Zoning Code was read by Secretary Lomonaco as follows:

Zoning Code Section 90-336 B-1 Local Business District specifies the permitted uses within this zoning district. The petitioner proposes to establish an indoor self-storage business within a portion of the existing building. This use is not permitted in the B-1 Local Business District, but is allowable within a B-2 General Business District. The requested use variance is to authorize a self-storage business on the property where it is not otherwise allowable. was read by Secretary Lomonaco.

Chairman VanderSluis opened the public hearing.

The owner Mark Baker, Baker 91936, 3280 Beltline Ct., Grand Rapids, MI 49525 used an aerial photograph to show the area of the building that he proposed to use for the indoor self-storage business. Currently half the building is vacant. The owners have been struggling to find an occupant. There had been an earlier variance for a dog day care facility, but the business ultimately did not choose to use this location. His architect had created a model on paper to show how the building could be utilized for storage. The main entrance would be moved to the rear of the building, and an overhead door would be installed. There would be an additional cold storage area constructed to the exterior of the building. If this half of the building is separated into additional tenant spaces, then he may also make alterations to allow

bathroom access to all locations. He had spoken with the apartment owner across the street. The apartment owner had inquired if the apartment tenant would be able to lease the units. He said flexibility is the key.

Beduhn asked if the units were stackable. Mr. Baker said that because of the 8' height of the unit, and the existing ceiling height, they would not be able to be stacked.

Meeter asked if there would be on-site supervision. Mr. Baker said while security measure would be put in place, there would not be an on-site supervisor.

Postema asked if Mr. Baker had more details on the storage units. Mr. Baker had not decided which storage units he would purchase so he did not have specific detail. However the units would be moveable, in fact they would probably need a forklift to move them in and out of the building.

There being no further remarks, Chairman VanderSluis closed the public hearing.

Cochran said that staff was using the same standards as were proposed for the prior use variance for the dog daycare and retail location. The use is reasonable. The Building Official had been consulted and he had no significant concerns with the proposed use in this building.

1. That the condition, location, or situation of the specific piece of property or of the intended use of the property is unique to the property in the zoning district in which it is located because this property was used for many years as grocery. After the grocery ceased operation, the building of approximately 22,000 square feet, was divided with a retail business (Dollar Store) operating out of the eastern half. The western half of this property has languished for several years. The proposed indoor self-storage business is allowable in a B-2 general business zoning district with approval by the Planning Commission. The proposed business is unique, with limited daily activity. The building and property under consideration is also unique in that it will require a destination type business to be successful at this location. Also, the building's open floor area is conducive to this proposed business. The Dog Day Care use variance authorized on June 1, 2015, by the Board of Zoning Appeals for this site was not established.
2. That the building, structure or land cannot be reasonably used in a manner consistent with the uses allowed in the zoning district in which it is located because this commercial property is overly large to meet the commercial needs of the surrounding area. More vibrant commercial areas exist nearby in the 28th Street and 54th Street areas. The existing location, building and property comprise an aged secondary commercial site that, in combination, is not viable for most commercial businesses.
3. That the use variance will not alter the essential character of the neighborhood nor the intent of the City Master Plan, nor be of detriment to adjacent properties because the business is entirely contained within the building. The use would not change the essential character of the neighborhood, nor the intent of the Master Plan, nor be of detriment to adjacent properties. The establishment of a viable and stable business in this long term vacant building would be beneficial to nearby businesses and property owners.

4. That the requested use is not of so general or recurring a nature as to make reasonably practical the formulation of a general regulation or adding it to the permitted uses in the zoning district in which it is located or to permitted uses in other more appropriate zoning districts because the proposed indoor self-storage facility is a unique business at such a small scale. The proposed use is not general or recurring.
5. That the variance will not impair the intent and purpose of this Ordinance because the authorizing of the variance will permit a low impact commercial use of the property.
6. That the immediate unnecessary hardship causing the need for the variance request was not created by the applicant because the building and property is unique given its size, location and age. Its reuse requires a destination type business with need for an open floor plan. The requested variance would tie the unique property with a unique business to obtain a viable and potentially long term beneficial use of the site.

A motion was made by Postema and seconded by Lomonaco that the request for a variance in application no. V160001 be granted, accepting staff's Finding of Facts.

Beduhn wondered if there should be a time limit on the variance.

Chairman VanderSluis did not see a need for a time limit.

Lomonaco thought a time limit might be considered if there was a concern that the traffic would negatively affect the residential neighborhood. However the building sits so far away from the nearest house that it should not be a concern.

Motion carried: 7 Yeas 0 Nays (Resolution #5598)

There were no public comments at the meeting.

There were no new business items to discuss.

Canda Lomonaco
Secretary

CL:cb